

## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/427,123	10/21/1999	MICHAEL B. BALL	2818.1US	2755
75	590 02/13/2002			
BRICK G POWER			EXAMINER	
TRASK BRITT & ROSSA P O BOX 2550			POTTER, ROY KARL	
SALT LAKE C	CITY, UT 84110		ART UNIT	PAPER NUMBER
			2822	

DATE MAILED: 02/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Applicanties   App		_	iV_	_			
Examiner   Roy K Potter   2822	\ <b>\</b>			Applicant(s)			
Roy K Potter   2822		•	09/427,123	BALL, MICHAEL B.			
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  The MAILING DATE OF THIS COMMUNICATION of 3 CPR 1.18(a). In no avent, however, may a reply be timely filled  If the period for reply appelled above is less than thery (30 days, a reply within the statutory ministrum of bitint) (30) days will be considered timely.  If the period for reply appelled above is less than thery (30 days, a reply within the statutory ministrum of bitint) (30 days will be considered timely.  If the period for reply appelled above is less than thery (30 days, a reply within the statutory ministrum of bitint) (30 days will be considered timely.  If the period for reply appelled on the second transplant of the communication.  Any reply received by the Office site that there months after the mailing date of this communication, even if timely filled, may reduce any search application is in Condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Queyle. 1935 c.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-12 isfare pending in the application.  4a) Of the above claim(s) 3-212 isfare withdrawn from consideration.  5) Claim(s) isfare allowed.  6) Claim(s) isfare allowed.  6) Claim(s) isfare explicated to by the Examiner.  Application Papers  9) The specification is objected to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) The proposed drawing correction filled on is: a) accepted or b) objected to by the Examiner.  Application Papers  9) The proposed drawing correction filled on is: a) approved by disapproved by the Examiner.  12) The oath or declaration is objected to by the Examiner.  12) The oath or declaration is objected to by the Examiner.  13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a) (or (f).  14) Acknow	بر	Office Action Summary	Examiner	Art Unit			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Exercition of time may be available used the provincian of 3 CER 1.136(a). In no event, however, may a regity be limitely filled effect from the mailing date of this corrumanication.  If the period for may be partially used the provincian of 3 CER 1.136(a). In no event, however, may a regity be limitely filled effect of the corrumanication.  If the period for may be partially used to the corrumanication.  If the period for they specified short is test than thirty (design) days, a regity within the statutory and the statutory within the statutory and the statutory within the statutor		e e	Roy K Potter	2822			
THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 3 CFR 1.18(a). In no event, however, may a reply the timely filed after SX (5) MONTHS from the enaling date of this communication. Any of the communication and the state of the communication and the state of the communication and the state of the state of the communication and the state of the state of the state of the communication and the state of the sta			pears on the cover sheet with	the correspondence address			
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6) Claim(s) 1 and 2 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 119(e) (to a provisional application).  a) The translation of the foreign language provisional application has been received.  15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.		·					
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Application/Control Number: 09427123 Page 2

Art Unit: 2822

مكسم مسكك

## **DETAILED ACTION**

## Election/Restriction

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1 2, drawn to a multiple die-low profile semiconductor device, classified in class 257, subclass 686.
- II. Claims 3 12, drawn to a method for fabricating a multiple-die, low-profile semiconductor device, classified in class 438, subclass 109.

The inventions are distinct, each from the other because of the following reasons:

Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the method of claim 3 cold be used to make a materially different product, such as a device having a thickness greater than the 0.110 inch thickness limit of the device recited in claim 1.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

In accordance with 37 CFR 1.176, the subject matter of claims 1 - 2 has been constructively elected

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The reissue oath/declaration filed with this application is defective because it fails to identify at least one error which is relied upon to support the reissue application. See 37 CFR 1.175(a)(1) and MPEP § 1414.

Claims 1 - 2 are rejected as being based upon a defective reissue declaration under 35 U.S.C. 251 as set forth above. See 37 CFR 1.175.

The nature of the defect(s) in the declaration is set forth in the discussion above in this Office action.

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roy Potter whose telephone number is (703) 308 - 4106.

Roy Potter

Primary Examiner

Technology Center 2800

Potter February 11, 2002